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VIA HAND DELIVERY

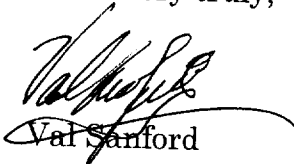
Mr. David Waddell
Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37201

Re: *Complaint by AT&T Regarding the Delivery of Caller Name
Services by BellSouth Telecommunications, Inc.*
Docket No. 00-00971

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of the Reply Brief of AT&T as to Threshold Issues. Copies are being served on counsel for all known interested parties.

Yours very truly,


Val Sanford

VS/ghc
Enclosures

cc: Counsel of Record
James P. Lamoureux, Esq.
Garry Sharp

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12-1-00

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

In Re: *Complaint by AT&T Regarding the Delivery of Caller Name Services
By BellSouth Telecommunications, Inc.*

Docket No: 00-00971

REPLY BRIEF OF AT&T AS TO THRESHOLD ISSUES

BellSouth has filed an eighteen page brief presenting at some length an effort to justify BellSouth's behavior, but failing even to consider any legal authority for its position. Yet, the threshold issues to be addressed by the parties as defined by the pre-hearing officer are legal issues, involving BellSouth's obligations. One thing is clear from BellSouth's brief, i.e., that it provides itself with Caller ID services which it does not provide AT&T or other CLECs.

In its brief, BellSouth refers to, but does not discuss, federal law. From the standpoint of federal law, BellSouth's obligations are clear. Caller ID is a feature included within the concept of number portability. Number portability is defined, 47 U.S.C. §153 (30):

The term "number portability" means the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.

The FCC Rules, 47 CFR §52.23(a) define the “performance criteria” with which LECs must comply in providing number portability. The first such performance criteria is:

Supports network services, features and capabilities existing at the time number portability is implemented, including but not limited to emergency services, CLASS features, operator and directory assistance services, and intercept capabilities;

In explaining that criteria, the FCC stated in its *First Report and Order*, In the Matter of Telephone Number Portability, 11 FCC Rec. 8352 (1996), at ¶49:

The 1996 Act requires that consumers be able to retain their numbers “without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.” Moreover, customers are not likely to switch carriers and retain their telephone numbers if they are required to forego services and features to which they have become accustomed. Thus, any long-term method that precludes the provision of existing services and features would place competing service providers at a competitive disadvantage.

In footnote 146 to that paragraph, the FCC stated:

Moreover, we have found that the provision of some services, such as caller ID and emergency services, is in the public interest. For example, our rules require passage of calling party information because national availability of caller ID enables a multitude of services, efficiency gains, and additional choices for consumers. See Rules and Policies regarding Calling Number Identification Service --Caller ID, Report and Order and Further Notice of Proposed Rulemaking, 9 FCC Rcd 1764, 1765-66 (1994), aff'd, Public Util. Comm'n of California v. FCC, 75 F.3d 1350 (9th Cir. 1996).

BellSouth's obligations, under both state and federal law, are clear. It is equally clear from BellSouth's own labored account that BellSouth has failed to meet those obligations.

Respectfully submitted,



Val Sanford, #3316

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CERTIFICATE OF SERVICE

I, Val Sanford, hereby certify that I have served a copy of the foregoing Reply Brief of AT&T Communications of the South Central States, Inc. on counsel of record, as follows, by depositing a copy of the same in the United States Mail, postage prepaid, this 14 day of December, 2000.



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